

## **Section 1: Entity Submitting the Plan**

Charles County Department of Community Services  
*VanGO Transportation*  
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## **Section 2: Introduction**

### **BACKGROUND**

The Charles County Department of Community Services (DCS) is a county government agency that operates fixed-route, deviated fixed-route, and demand-response transportation throughout Charles County, Maryland under the name of *VanGO*. VanGO is converting its deviated-fixed routes located in Waldorf and La Plata to fixed-route service. When fixed-route service is provided, complementary paratransit service is federally mandated by the Americans with Disabilities Act of 1990 (ADA). The Maryland Transit Administration (MTA) provides funding to assist locally operated public transit systems in Maryland with ADA compliance, including provision of ADA-required paratransit service. This document is the plan for complying with the ADA paratransit requirements.

### **THE ADA AND ITS COMPLEMENTARY PARATRANSIT REQUIREMENTS**

The ADA is a civil rights law that protects the rights of individuals with disabilities. The law prohibits discrimination in employment, access to public services, access to services provided by the private sector, and access to telecommunications. The law established rigorous accessibility standards for public transportation. Fixed-route publicly-operated bus services must not only be fully accessible, but unless specifically exempted under the law, must also be complemented by paratransit services for those individuals who are unable to use the fixed-route services because of a functional disability. Such complementary paratransit services must be equivalent to the fixed-route services they support. The ADA paratransit service requirements are outlined in USC 49 CFR Part 37, Subpart E. Brief descriptions of these requirements and the individuals who are entitled to them are provided as follows.

## What Does “Equivalent to Fixed-Route Services” Mean in Terms of ADA Paratransit Service?

Service equivalency is met when each of the following six service characteristics are addressed:

- # **Geographic Service Area:** ADA paratransit must be provided within a three quarter mile radius corridor surrounding each fixed-route plus entire areas which are entirely enclosed by fixed routes.
- # **Response Time :** Reservations must be accepted on a next-day basis, including acceptance of reservations on Sunday for Monday service. Reservations must be accepted up until regular close of business hours (for example, 4:00 p.m.) for trips to be provided at any time the next day. Trip requests will be accepted up to two weeks in advance.
- # **Fares:** The fare charged for ADA paratransit may not exceed twice the regular general public cash fare for the equivalent trip on the fixed-route service.
- # **Days and Hours of Service:** ADA paratransit must be provided within the same days and hours as fixed-route services.
- # **Trip Purpose:** ADA paratransit must be provided for trips of any purpose. Further, the transit system cannot prioritize specific types of trips over others.
- # **Capacity Constraints:** Within the established service criteria, ADA paratransit service must be provided as needed for all eligible trips. Capacity must be adequate to accommodate all eligible trip requests.

In addition to each of the above criteria, the ADA paratransit requirements include paratransit operating standards, such as no-show policies, type of services (curb-to-curb versus door-to-door), subscription services, equipment specifications, maintenance of access equipment, the use of lifts and securement systems, accommodation of mobility aids and life support equipment, the provision of accessible information and communications, and employee training.

## Who is Entitled to ADA Paratransit Services?

There are three major categories of individuals who are required to be served based upon their functional disability interacting with conditions of the service and surrounding environment:

1. Persons who are unable to board, ride, or disembark from accessible fixed-route vehicles as a result of their disability.

2. Persons who could use accessible fixed-route services, but such services are being operated using vehicles that are not fully accessible.
3. Persons who cannot travel to or from a bus stop because their disability prevents it.

It is important to emphasize that only those persons who are **prevented** from using fixed-route services because of their disability are required to be served by ADA paratransit, rather than individuals who would have difficulty using fixed-route services, but could in fact use it. A formal ADA eligibility determination process is part of the ADA paratransit requirements. There are also requirements for transporting personal care attendants, other traveling companions, and persons visiting from other areas on ADA paratransit.

## **THE RELATIONSHIP BETWEEN ADA PARATRANSIT AND OTHER TYPES OF PARATRANSIT SERVICES FUNDED IN MARYLAND**

ADA paratransit is quite different from other types of demand-responsive and specialized transportation funded in Maryland in that its service parameters are highly prescribed by federal regulation. ADA paratransit is required only for a narrow population of individuals who are unable to use fixed-route service because of their disability, unlike Maryland's Statewide Specialized Transportation Assistance Program (SSTAP), which serves any individual with a disability as well as elderly persons. ADA paratransit also requires a much higher level of service than is required by SSTAP, in terms of response time, days and hours of service, and capacity. For this reason it is generally recommended that locally operated transit systems treat SSTAP paratransit and ADA paratransit as two distinct services. While both services may be operated using the same vehicles and drivers, community outreach should clearly differentiate between the two programs to ensure that SSTAP customers do not expect the same level of service as ADA paratransit customers.

## **ADA PARATRANSIT PLANNING REQUIREMENTS**

The federal ADA paratransit requirements include specific planning requirements. These planning requirements allowed a multi-year phase-in period and required annual submissions to the Federal Transit Administration (FTA) to update the plan as milestones were implemented. While the FTA no longer requires annual ADA plan updates, transit systems are not permitted to be out of compliance. That is, new fixed-route services may not be implemented without complementary ADA paratransit that meets federal requirements. Therefore, ADA paratransit services that fully meet federal requirements need to be implemented for VanGO concurrent with changing route deviation services to fixed-route services.

This plan is being developed to satisfy MTA requirements and provide a plan for use of state ADA funds awarded to Charles County.

### **Section 3: Description of the Current Fixed Route System**

VanGO proposes to convert several deviated-fixed routes currently operating in the Waldorf and La Plata areas to fixed-route loops with the provision of ADA transportation services available within 3/4 of a mile of these fixed routes.

Two routes serve the La Plata area, extending from VanGO's central hub located at the St. Charles Towne Center Mall to the intersection of Route 301 and Route 6. Additionally, six routes serve the Waldorf area, providing transportation to and from residential areas, businesses, shopping, and medical facilities in Waldorf. The routes extend as far South as Route 301 and Smallwood Drive and North to the Pinefield neighborhood located on Mattawoman-Beantown Road. All of these routes covering La Plata and Waldorf will become fixed-routes with the introduction of ADA service.

The current Waldorf routes operate Monday through Saturday from 7 a.m. until 10 p.m. while the La Plata routes operate Monday through Saturday from 8 a.m. until 10 p.m. All routes make complete loops in less than an hour, with most being 50 minute loops. The two business loops operate in 25 and 35 minute loops.

Fares are \$1.00 each way for the general public and .50 cents each way for senior citizens and persons with disabilities. Children under 6 ride free but must be accompanied by an adult.

An All Day Pass may also be purchased for only \$1.00. Customers are entitled to an unlimited number of rides per day with the pass.

With a population of 120,000, Charles County remains a relatively rural community with many residents employed outside of the county in the Washington D.C. Metropolitan area. This accounts for the success of the MTA commuter buses in the area, which have helped make Southern Maryland's the fastest growing commuter lines in the state.

While the potential exists to reach persons who have transportation choice such as those described above, based on staff's and drivers' experience, a picture of the average VanGO customer is described as someone without their own private transportation. The large majority of VanGO passengers are transit dependent and low-income households are adequately represented among VanGO passengers.

A total of eight buses, all handicapped accessible, provide service on the current Waldorf and La Plata Routes. The routes are accessible to and usable by persons with disabilities, including persons who use wheelchairs.

#### **Section 4: Description of Existing Paratransit Services**

VanGO provides specialized transportation services to senior citizens 60 and older and to persons of all ages with disabilities through SSTAP funds provided by the Maryland Transit Administration, which are supplemented by local match from the County Commissioners of Charles County. Additionally, VanGO provides Medical Assistance Transportation through agreement with the Charles County Health Department and additional paratransit services are provided to clients of the Charles County Department of Social Services who are referred by caseworkers for transportation to and from work related activities and child care centers.

Together, these existing paratransit services account for over 17,000 passenger trips per year. In order to maximize productivity and efficiency, transportation for all groups (senior citizens, disabled persons, Medical Assistance recipients, and Department of Social Services clients) is blended, making the status of individuals indistinguishable from one another even though they may share a vehicle. Medical Assistance transportation is provided only to medical appointments.

VanGO specialized services provide transportation throughout Charles County and, in the case of Medical Assistance customers, outside of Charles County when necessary. VanGO specialized services, also referred to as Demand Response Service, operate Monday through Friday from 8 a.m. until 6 p.m. The cost is \$1.50 each way, or \$3.00 each way for standing appointments. The exception is Medical Assistance customers. Medical Assistance customers ride free, as fares are paid by the Medical Assistance Program.

All specialized services are provide within a one hour window in order to maximize available resources. Pick-up times are up to one hour before the scheduled appointment, with actual pick up times being any time within that hour. The return trip home is also provided within a one hour window. Under normal circumstances, customers ride no more than one hour to reach their desired destination and customers are delivered to their destinations on time.

Specialized Services that do not fall under Medical Assistance or Department of Social Services are not restricted in trip purpose and are generally referred to as Demand Response trips. These are the trips funded through the state's SSTAP program which are available to persons age 60 and over and persons with disabilities.

Currently, there are capacity constraints under the demand response specialized services due to budgetary matters. There are no capacity constraints for the Medical Assistance transportation program.

The specialized services are provided by 11 vehicles, a combination of vans and sedans. Seven of the 11 vehicles are handicapped accessible. The vehicle fleet provides more than sufficient resources to meet the current demands of all specialized services passengers.

## **Human Service Agency Providers**

Human service agencies in Charles County also provide paratransit services to eligible clients. Information about these agencies and their service characteristics were compiled recently by Tri-County Council through the tri-county coordination study currently being conducted in Southern Maryland.

These agencies include:

- Alternatives for Youth
- Charles County Mental Health Center
- Charles County Adult Day Services
- Charles County Freedom Landing
- Charles County HARC
- Melwood
- Southern Maryland Tri-County Community Action Committee, Inc. (SMTCCAC)
- Spring Dell Center, Inc.
- TRIAD House Alternatives for Youth

The attached table summarizes the transportation provided by these agencies.

### **Section 5: Description of the Proposed Complementary Paratransit Service**

The ADA service being proposed will cover the Waldorf and La Plata areas where deviated-fixed routes currently operate. These deviated-fixed routes will then become fixed-routes with the introduction of ADA service. This translates into ADA service being available from as far south as the intersection of Route 301 and Route 6 and as far north as Mattawoman-Beantown Road, with service deviating out from this axis in either direction as current schedules dictate.

Currently, VanGO public transportation does not operate fixed-routes. All routes are *deviated-fixed* and as a result, ADA paratransit is not required for these routes as is required for fixed routes. The current deviated-fixed routes operate according to timed schedules but deviate up to 3/4 of a mile for persons with disabilities. The proposed ADA service will take the place of this deviation system by providing transportation within 3/4 of a mile of the fixed routes for persons whose trips begin and end within this service area, but who are unable to utilize public transportation routes because their disability prevents it. This is what will allow the deviated-fixed routes to change to fixed-routes while continuing to service all customers.

The current deviated-fixed system in place means that VanGO is able to determine a reasonable expectation for the service demand on the ADA routes. The demand estimation methodology makes use of current customer lists and data which show how many people, and whom, deviations are being

provided for currently on the applicable routes (Waldorf and La Plata).

Currently, VanGO deviates up to 3/4 of a mile on these deviated routes for 45 people. Additionally, up to 15 persons are currently being served by SSTAP funding through Demand Response service even though they reside on or near VanGO public transportation routes. Their inability to reach the nearest bus stop or their inability to transfer between buses are some of the reasons these persons have been approved for Demand Response when public routes are in their area. These persons may be able to be served by the ADA paratransit when it becomes operational if they meet ADA eligibility requirements. The resources devoted to operation of these services is more than ample to accommodate these groups as well as future growth. The majority of these persons travel two days a week, two trips each day.

Paratransit services currently provided, and detailed in the beginning of this document, differ from the proposed ADA service in a variety of areas, including fares, eligibility, and response time.

Current paratransit services are in some cases restricted by trip purpose (Medical Assistance Transportation and Department of Social Services Demand Transportation). This does not apply, however, to the Demand Response transportation available to persons age 60 and over and persons with disabilities. These trips are in no way restricted by trip purpose. Additionally, for all paratransit services, except Medical Assistance, there are capacity constraints so transportation service is not guaranteed.

Eligibility criteria for ADA service are distinct from the other paratransit services. The only existing paratransit services exclusively for persons with disabilities is the general Demand Response transportation. This service is available to any person with a disability, provided public transportation is not available in their area. If VanGO public transportation routes are in the customer's area, professional documentation must be provided by the applicant as to why they cannot access the public routes. In such situations, this service is similar to the ADA eligibility process.

Because there are capacity constraints on all existing paratransit services, except for Medical Assistance Transportation, not all trips are guaranteed. Under ADA, however, all trips must be provided if the customer has requested the service the prior day. This next day service requirement applies even in cases where there is less than 24 hours notice. Regulations require only that the customer call the *day before* to request service for the following day. Sufficient resources must be available to meet this demand and conform to the zero trip denials standard noted in the regulations.

Currently, VanGO is ADA compliant by deviating its routes up to 3/4 of a mile for persons with disabilities. This differs from the proposed service in that these routes will now be fixed-routes, with no deviations. The ADA transportation component will provide this service previously being provided by these routes within 3/4 of a mile.

The ADA service will be comparable to existing public transportation in six service criteria, as is required in §37.131 of the regulations. These service criteria are: service area, absence of restrictions or priorities based on trip purpose, response time, fares, hours and days of service, and lack of capacity constraints.

The ADA transportation will provide service within 3/4 of a mile around the existing deviated-fixed routes operating in Waldorf and La Plata. This distance will be measured out on either side of the routes and at the ends of routes, thus the service area radiates out in all directions from the fixed-routes. Additionally, areas fully enclosed by fixed-route loops are also covered.

There will be no restrictions or priorities based on trip purpose. Staff will not ask customers for trip purposes, only pick up and destination locations. In this way, all requests for service will be given equal attention. Additionally, number of trips will not be limited for customers.

As is required by the ADA, all trips requested the day before will be honored with next day service. Customers will be given pick-up times with a one-hour window before the requested time. This is comparable to the service provided on the fixed-routes. An answering machine will be available to take trip requests during non-operating days and reservations will be available up to 14 days in advance.

ADA fares will be twice the fares on fixed-route service. Customers will be able to purchase an All Day Pass for \$2.00 and ride all day. Or, one-way fares will be \$1.00.

Personal Care Attendants, approved in advance by VanGO, will not be charged a fare.

The ADA service will operate Monday through Saturday from 7 a.m. until 5 p.m. (The fixed routes operate Monday through Saturday from 7 a.m. until 5 p.m.) After 5 p.m., a separate ADA transportation service will not be available but fixed-routes will switch to deviated-fixed route service for the evenings so as to provide transportation within 3/4 of a mile of the routes. In this way, the routes are in compliance with the ADA requirements.

VanGO's ADA service will not be phased in but will be fully operational at the conclusion of the public hearing process.



## **Budget**

Charles County will operate ADA service according to the budget amount awarded by MTA in FY 03. The net project cost for the service is \$192,000 with \$172,800 of this amount being funded by MTA ADA grant funds. The remainder is provided as local match.

## **Section 6: Description of the Proposed Eligibility Determination Process**

This section outlines the recommendations for ADA paratransit eligibility determination. Charles County's attached ADA application form will be used to determine ADA paratransit eligibility for customers. This application requires certification from a licensed professional as to the presence of a permanent or temporary disability which prevents the applicant from reaching the public transportation routes. The application also collects personal care attendant (PCA) information. Charles County's ADA application screens for *functional* disability in order to control service demand and reserve assistance for eligible persons who are prevented from reaching the fixed-routes due to their disability.

## **General Requirements**

### **Who is Entitled to ADA Paratransit Services:**

As noted previously, there are three major categories of individuals who are required to be served based upon their functional disability interacting with conditions of the service and surrounding environment:

1. **Persons who are unable to board, ride, or disembark from accessible fixed-route vehicles as a result of their disability.** This category includes persons with mental or visual disabilities who cannot "navigate the system" (that is, they may get lost in attempting to ride the bus independently). Such individuals may be able to learn to navigate parts of the fixed-route system, but must still be provided ADA paratransit for those parts they cannot navigate.
2. **Persons who could use accessible fixed-route services, but such services are being operated using vehicles that are not fully accessible.** Persons who are eligible under this category include individuals who require the use of a lift or ramp to board the bus (such as individuals who use wheelchairs). *This category is not applicable to VanGO operations since all routes are operated with accessible vehicles.*
3. **Persons who cannot travel to or from a bus stop because their disability prevents it.** This category includes persons whose path of travel between their origin or destination and the bus stop is inaccessible, such as persons who use wheelchairs, but can't

get to or from the bus stop because there is no sidewalk or the sidewalk is blocked (by a lack of curb cuts or a barrier that reduces the width of the sidewalk to less than three feet). It also includes persons whose specific disability otherwise prevents them from traveling to or from or waiting at a bus stop, such as persons whose health would be endangered by certain weather conditions during this phase of the trip.

**It is important to emphasize that only those persons who are prevented from using fixed-route services because of their disability are required to be served by ADA paratransit, rather than individuals who would have difficulty using fixed-route services, but could use it.** A formal ADA eligibility determination process is part of the ADA paratransit requirements, and is addressed in this document.

There are also requirements for transporting PCAs, other traveling companions, persons visiting from other areas on ADA paratransit, and the eligibility determination process itself; policies for these individuals will also be addressed.

## **Eligibility**

Individuals with disabilities will be certified eligible for service by completing the attached application. Applications will be taken by phone or in person with Department of Community Services staff. Applicants will be required to provide verification of their disability from a certified professional (doctor, psychiatrist, social worker, case manager) and documentation as to why they are unable to access the fixed-route must be provided by a certified professional. **The determination of eligibility for ADA service will be made in these cases based on the functional ability or inability of a person to access the fixed routes and not solely on their disabled status.**

Applicants may be determined eligible for some trips and not others depending on circumstances and eligibility can be temporary based on a temporary disability. ADA service can also be used as feeder routes to transport individuals to the closest public transportation route, which they can then access.

Applications are available in accessible formats for all persons. Applications can be provided in braille and large print. For those persons with hearing impairments, the Department has a TDD line which can be utilized to complete the application. Additionally, Department staff can go to applicants' homes to complete applications with those persons unable to reach the Department in person or unable to complete the application over the phone. Any special accommodations can be made by calling 301-934-0106.

Applicants will be notified of their eligibility status by mail within 21 days of submitting a completed application. If they are not notified within this time frame, they will be presumed eligible and provided service until such time as a determination of eligibility is made.

All applications will be updated annually.

All eligible persons will be provided a specially designed ADA Fare Card that will have the customer's picture and identifying information. This card will be designed so as to be durable and not easily replicated. It will clearly display the VanGO logo and telephone number, the customer's name, expiration date, and information about a personal care attendant, if applicable, and any other special considerations.

### **Personal Care Attendants/ Traveling Companions**

The need for a PCA must be noted during the application process. PCAs are not charged a fare for accompanying an eligible customer. In addition to a PCA, customers may have one traveling companion accompany them who will pay the price paid by the ADA customer. Additional traveling companions are allowed on a space available basis, only, and are subject to the ADA fare. Traveling Companions and PCAs must have the same origin and destination as the customer, except in extraordinary circumstances.

### **Appeals**

If it is determined that a person is not eligible for ADA service, they will be notified in writing of the reason(s) and will be given 60 days to appeal the decision. If a request for appeal is received, the Department must render a decision within 30 days. Transportation services will not be provided during this review process.

The administrative appeals process shall provide the applicant the opportunity to be heard and to present information to a third party not involved in the initial determination. The County's designated hearing officer to hear such cases is Mr. Paul Wright, Chief of Risk Management for Charles County Government. A date, time, and location for the meeting to discuss the applicant's appeal will be sent to the applicant by mail within five working days of the appeal request being received. The meeting shall be held and a decision rendered within the required 30 days. Should a decision not be rendered within 30 days, the applicant will be provided ADA service *after* the 30 days until such time as a decision is reached. The applicant is not provided service *during* the 30 day appeal period.

## **Visitors**

ADA transportation service shall be provided to visitors as described in CFR §37.127. Visitors shall be presumed eligible for service after providing documentation of their ADA paratransit eligibility in the jurisdiction in which they reside. If unable to provide this documentation, documentation of the applicant's place of residence will be required as well as documentation of their disability, if it is not readily apparent. Additionally, these persons would also have to sign a certification that they are unable to use fixed route transit.

ADA paratransit service shall be provided to visitors for no more than 21 days during a rolling 365-day period. After 21 days of service within this time frame, applicants will be required to complete VanGO's full eligibility process, which involves completing an application and providing professional documentation of ADA transportation eligibility.

## **Section 7:Description of the Public Participation Process Used to Develop the Plan**

An advisory committee was formed early in the planning stages of this plan in order to encourage participation in the planning process among persons with disabilities and those persons and agencies who work with individuals with disabilities.

A letter was sent to agencies in the county that work with individuals with disabilities inviting them to participate in the planning process and to refer individuals with disabilities to assist in the planning process, also.

An initial meeting was held to discuss the ADA transportation service and its requirements under the ADA regulations. The group discussed service criteria, eligibility requirements and the eligibility process, and the design of the paratransit service. A follow-up meeting was held to discuss participants' recommendations and comments based on the initial meeting and review of documents provided at that meeting. The information obtained during this meeting was used in the County's development of this plan and the drafted plan was submitted to the committee. The plan was approved by the committee and plans were made to proceed with the Public Hearing requirement.

A Public Hearing was held on \_\_\_\_\_, as is required under ADA regulations. Notice of this meeting was published in local papers and aboard all VanGO vehicles at least 30 days before the hearing was held. Documentation of the Notice of Public Hearing published in local papers is provided with this plan.